

# Exhibit D

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

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LA UNIÓN DEL PUEBLO ENTERO, et al.,

*Plaintiffs,*

v.

GREGORY W. ABBOTT, et al.,

*Defendants.*

5:21-cv-844-XR

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LULAC TEXAS, et al.,

*Plaintiffs,*

v.

JANE NELSON, et al.,

*Defendants.*

1:21-cv-0786-XR

**DECLARATION OF AMEER PATEL**

I, Ameer Patel, having personal knowledge of the following facts, declare as follows:

1. I am the Managing Director of Voto Latino. In this role, I work closely with Voto Latino's officers, board of directors, and staff to oversee all aspects of Voto Latino's finances, operations, and programming, including those related to elections and voting.

2. Voto Latino is a 501(c)(4) nonprofit, social welfare organization that engages, educates, and empowers Latinx communities across the United States, working to ensure that Latinx voters are enfranchised and included in the democratic process. In furtherance of its mission, Voto Latino expends significant resources to register and mobilize thousands of voters each election cycle, including the nearly 5.6 million eligible Latinx voters in Texas. Voto Latino mobilizes Latinx voters—and particularly young voters—in Texas through statewide voter registration initiatives as well as peer-to-peer and digital voter education and get-out-the-vote (“GOTV”) campaigns.

3. Voto Latino's ability to plan future work and programming has been harmed by the threat of criminal enforcement of Texas Senate Bill 1 ("SB 1"), and specifically, SB 1's vague prohibition on speech "in the physical presence" of a ballot by someone receiving "compensation or other benefit."

4. Before the COVID-19 pandemic, Voto Latino committed significant resources, including but not limited to its full-time staff's time and attention, to creating Voto Latino college chapters in schools across Texas, including The University of Texas at Austin, The University of Texas – Rio Grande Valley, St. Mary's University, and others, and recruiting volunteers to manage and maintain those chapters. Voto Latino's college chapters furthered the organization's mission by directly engaging young people on campus and encouraging them to register and to vote.

5. Voto Latino's college chapters functioned as hubs where college student volunteers were responsible for registering students and members of neighboring communities to vote, encouraging students and community members to turn out to vote—including applying for and returning mail ballots—and answering questions about eligibility for absentee voting. Voto Latino's college student volunteers often received modest gifts for their efforts, including invitations to pizza parties and free clothing supplied by Voto Latino.

6. Voto Latino significantly reduced its college chapter programming during the COVID-19 pandemic due to health risks posed by extensive in-person engagement with potential voters. Voto Latino's college chapters in Texas stopped operating during this period as existing volunteers and campus leaders graduated.

7. Voto Latino has now resumed strategic planning to re-launch its college chapter programming across the country, including ideally in Texas. Given Texas's large population of young Latinx voters, as well as its many colleges and universities, operating college chapters in

Texas would significantly further Voto Latino's goal of enfranchising and politically engaging new Latinx voters.

8. SB 1, however, creates a hostile environment for these types of efforts by imposing draconian criminal penalties for speaking with voters in the presence of a ballot, and thus presents a significant obstacle to Voto Latino's attempt to resume its college chapter operation in Texas. Because Voto Latino traditionally asks student volunteers in these chapters to personally engage other young voters, it fears that SB 1's new criminal provisions will put its college student volunteers at risk of criminal prosecution, particularly if it asks those volunteers to promote specific candidates or causes. This fear is particularly acute because many college students are registered to vote at a family home address in Texas away from school and are therefore likely to request absentee mail ballots to vote. Indeed, many schools in Texas expressly advise their students on how to request absentee ballots if they are registered elsewhere in Texas.

9. Moreover, Voto Latino's student volunteers would face the risk of prosecution even in the absence of a program directed specifically towards absentee ballots. If Voto Latino's college chapter volunteers were to canvass a dormitory or student housing shortly before an election, it is inevitable that they would encounter some students in the physical presence of a ballot, particularly given that many students live in confined spaces like dorm rooms or small apartments.

10. This reality has significantly discouraged Voto Latino from resuming its college chapter operations in Texas. The risk of subjecting its staff and volunteers to criminal prosecution for assisting Texas voters is a significant barrier that is actively discouraging Voto Latino from resuming its college chapter program across Texas.

11. In furtherance of its mission to engage, educate, and empower Latinx communities across the United States, Voto Latino also organizes rallies featuring religious leaders, elected officials, advocates, voters, and partner organizations to mobilize voters in support of issues that

are important to Latinx voters. For example, in June 2022, Voto Latino organized a “Stand with Uvalde” rally designed to remember the victims of the May 2022 mass shooting at Robb Elementary School in Uvalde, Texas and to turn the attendees’ anger regarding the Uvalde tragedy into action by organizing, registering voters, and getting out the vote. At the rally, Voto Latino and its partners encouraged attendees to mobilize in support of common-sense gun safety measures. In 2024, Voto Latino plans to organize similar rallies regarding gun safety, reproductive rights, immigration, and other issues in Texas and other states.

12. At similar rallies in other states, Voto Latino collects voter registration forms, helps voters request absentee ballots, and assists voters in returning their absentee ballot applications and ballots.

13. But at its Texas rallies, Voto Latino is forced to forgo assisting voters who wish to submit absentee ballots because the hypercriminalization of Texas’s voting laws increases the risk that the organization’s staff, its strategic partners, or its volunteers, could be subject to criminal prosecution for encouraging voters to support specific measures in the presence of their official ballots, as Voto Latino provides these volunteers with tokens of appreciation, like t-shirts and other Voto Latino merchandise, all of which could be construed as “compensation” under Texas’s election code.

14. SB 1’s criminalization of in-person interactions with voters therefore discourages Voto Latino from engaging in voter mobilization and persuasion efforts and frustrates Voto Latino’s ability to fulfill its mission of engaging, educating, and empowering Latinx communities.

I certify under penalty of perjury that the foregoing is true and correct.

Executed June 23, 2023.

Signed Ameer Patel  
Ameer Patel  
Managing Director, Voto Latino